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Counsel for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DIVA LIMOUSINE, LTD., individually and
on behalf of all others similarly situated,

Plaintiff,

v.

UBER TECHNOLOGIES, INC. et al.,

Defendants.

No. 3:18-cv-05546-EMC

**STIPULATION AND ~~PROPOSED~~ ORDER
RE SECOND AMENDED CLASS ACTION
COMPLAINT**

Judge: Hon. Edward M. Chen

Pursuant to Local Rules 6-1 and 6-2, Plaintiff Diva Limousine, Ltd. (“Plaintiff”) and Defendants Uber Technologies, Inc., Rasier, LLC, Rasier-CA, LLC, Uber USA, LLC, and UATC, LLC (“Defendants” and collectively, the “Parties”), hereby stipulate to an extension of time for Plaintiff to file a Second Amended Class Action Complaint.

RECITALS

WHEREAS, on January 3, 2019, the Court ordered the parties to hold an ADR session within 90 days of the ruling on Defendants’ Rule 12 motion (“ADR Order”; ECF No. 95);

WHEREAS, on June 20, 2019, the Court issued its Order Granting in Part and Denying in Part Defendants’ Motion to Dismiss, and Denying Without Prejudice Plaintiff’s Motion for Partial Summary Judgment (the “Motion to Dismiss Order”; ECF No. 127);

WHEREAS, the Motion to Dismiss Order granted Plaintiff 30 days to file a Second Amended Class Action Complaint;

WHEREAS, the Court has scheduled a case management conference for August 1, 2019 at 10:30 a.m.;

WHEREAS, in order to facilitate discussions contemplated by the Court’s ADR Order, the Parties request a 45-day extension of the deadline for Plaintiff to file a Second Amended Class Action Complaint, and a continuance of the case management conference; and

WHEREAS, the Parties have not previously sought an order extending time for Plaintiff to file a Second Amended Class Action Complaint;

THEREFORE, the parties, through their undersigned counsel, stipulate as follows, subject to the Court’s approval:

1. The deadline for Plaintiff to file a Second Amended Class Action Complaint shall be September 5, 2019.

2. The case management conference on calendar for August 1, 2019 shall be continued until a future date as ordered by the Court.

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1 **IT IS SO STIPULATED.**

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3 Dated: July 15, 2019

/s/ Aaron M. Sheanin
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Counsel for Plaintiff and the Putative Classes

8 Dated: July 15, 2019

/s/ Brian C. Rocca¹
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Attorneys for Defendants

18 **~~PROPOSED~~ ORDER**

19 PURSUANT TO STIPULATION, IT IS SO ORDERED

21 Dated: July 15, 2019


United States District Judge

27 ¹ Aaron M. Sheanin, the filer of this document, hereby attests that he obtained the concurrence of
28 the other signatory, Brian C. Rocca, prior to its filing.